

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

T-MOBILE USA, INC.

and

Case 14-CA-170229

COMMUNICATION WORKERS OF AMERICA,
AFL-CIO

NOTICE TO SHOW CAUSE

On April 3, 2017, Administrative Law Judge Sharon Levinson Steckler issued a decision addressing complaint allegations that the Respondent violated Section 8(a)(1) of the National Labor Relations Act by maintaining “the following rule concerning employees sharing or communicating information regarding T-Voice: ‘T-Mobile Internal Use Only.’” The judge applied the “reasonably construe” prong of the Board’s decision in *Lutheran Heritage Village-Livonia*, 343 NLRB 646 (2004) (*Lutheran Heritage*). The judge also addressed other alleged unfair labor practices. Recently, the Board overruled the *Lutheran Heritage* “reasonably construe” test and announced a new standard that applies retroactively to all pending cases. *The Boeing Co.*, 365 NLRB No. 154, slip op. at 14–17 (2017). Having duly considered the matter,

NOTICE IS GIVEN that cause be shown, in writing, filed with the Board in Washington, D.C., on or before November 14, 2018 (with affidavit of service on the parties to this proceeding), why the complaint allegations involving the maintenance of allegedly unlawful work rules or policies should not be severed and remanded to the administrative law judge for further proceedings consistent with the Board’s decision in

Boeing, including reopening the record if necessary. Any response should address whether a remand would affect the Board's ability to resolve the remaining complaint allegations, including whether those allegations should be severed and retained or instead included in the remand. Any briefs or statements in support of the motion shall be filed on the same date.

Dated, Washington, D.C., October 31, 2018.

By direction of the Board:

Farah Qureshi
Associate Executive Secretary